G. R. S. App. F. IX-4]

Previous References.

194 2-
(Prisons)

File No. 2-42
Serial Nos. 8/

Later References.

PTFSERVED

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1

Part B for August 42

SUBJECT.

Recommendation No. 25 of the Prison Reforms Committee regarding the sub-division of casual convicts into "star" and "ordinary" classes.

Prison Reforms Committee

Recommendation No. 25

General and Revenue Secretariat — P. Secs. File No. 2 of 194 2 — [App. F. III-2

Serial No.

In paras 10 and 11 of Chapter III of their Report the Prison Reforms Committee suggest a sub-division of non-habitual or casual offenders into two classes viz. "Star" and "Ordinary" which is in force in British India and the United Kingdom.

The Committee recommend that the "Star" class may comprise such prisoners as are selected by Superintendent on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude or depravity of mind. It is further suggested that one or more previous convictions may not exclude a prisoner from the Star class, if they were for petty offences, and that even a conviction for serious crime is not to be regarded as a bar, if it was committed several years before and if, during the intervening period, the prisoner has led generally an honest life.

The effect of such inclusion in the Star class, according to the Committee, applies only to segregation, which extends to sleeping accommodation and parades, and as far as possible, to labour, but there will be no indulgences in regard to diet, labour, remission, gratuity or otherwise.

The Committee observe that such a sub-division, based on the principle of the segregation of the better

NOTE—Cont. Sheet.

WD 04156—GPB—55,000—28-10-41

File No. of 194 | General and Revenue Secretariat

Serial No.

better from the worse, is eminently fitted for adoption in Mysore. The Indian Jails Committee had also made a similar recommendation in 1919-20 and as a result - the system has been introduced in all the provinces.

The Inspector General of Prisons is also in favour of the adoption of the system, and he suggests that an amendment may be issued to the Mysore Jail Manual on the lines of Rule 220(A) of the Madras Jail Manual, which reads as follows :- Vide Flag Z

"220A. (1) Casual offenders shall be divided into two classes, viz:-

(a) the Star class, and

(b) ordinary.

The Star class shall include such prisoners as may be selected by the Superintendent (subject to the control of the Inspector General) on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude, or depravity of mind.

(2) The mere fact that a casual prisoner has been previously convicted once or oftener for petty offences shall not ordinarily be a sufficient reason in itself for excluding him from the Star class; nor shall a previous conviction for serious crime

be

Serial No.

be held to debar him from such classification, if it was committed several years before, and during the intervening period he has led generally an honest life.

(3) In determining whether a prisoner is already of so corrupt a mind or disposition as to render it likely that he may contaminate others and cannot be much further corrupted himself, regard should be had to his age at the time of his last offence and on the dates of any previous convictions: the whole circumstances of the case shall be duly considered and the question of his classification shall be decided on general grounds and not on any hard and fast lines.

(4) Except when appointed to the rank of convict officer, prisoners of the Star class shall, as far as possible, be separated from others at all times both day and night.

(5) When a Star class prisoner prefers to be confined in a cell at night, and such accommodation can be provided for him, his wishes shall be complied with: but where only association wards exist in the jail for separation at night members of this class shall be confined together apart from other offenders.

(6) The clothing of Star class prisoners shall be distinguished as in Rule 365(6).

NOTE—Cont. Sheet.

The clothing consists contains a

WD 04155—GPB—55,000—23-10-1

4

6200/41
Pre Law Reforms

File No. of 194

General and Revenue Secretariat

Serial No.

distinguishing red stars worn on the jacket and cap in the centre in front.

The recommendation of the Committee which has been agreed to by the L. G. of Police may perhaps be approved

MHV 20/5

Law Secy)

Law Minister

The recommendation of the committee is reasonable & may be accepted

Minister for Law & Dewan

8-7-42

MHV 8/7

MHV 16/7

DM 16/7/42

15-7-42

MHV 15/7

Draft G.O. submitted for consideration

MHV 21/7

Law Secy)

May be approved

22-7-42

Minister for Law

MHV 22/7

Please type draft as put up

MHV 16/7

OFFICE OF THE MINISTER FOR LAW
JUL 9 1942
No 2824

DEWAN'S OFFICE
11. JUL. 19..
NO 490

CHIEF SECRETARY'S
20 MAY 1942
GOVT. OF MYSORE.

SECY. LAW DEPT.
4683
25 MAY 1942
GOVT OF MYSORE

OFFICE OF THE MINISTER FOR LAW
JUL 22 1942
No. 761.

SECY. LAW DEPT.
799
21 JULY 1942
GOVT OF MYSORE

6265

761.

Serial No.

Law Dept 4.

Please bring up with Madras Manual

I think para 3 of Rule 208 A is unnecessary

I think also that in para 4, the portion "Except when ~~a Hon~~ appointed to the rank of Convict Officer" may lead to ambiguity & take away from a Convict night watchman or Convict overseer the privilege of segregation

Bn
24/7

Cus
24-7-42

Paragraph 3 & 4 may remain as drafted.

Draft approved
Bn
27/7

Cus
27-7-42
Secy to Govt
27/7

To.

The I. G. of Prisons

B

G.O. No. P 878 dated 4-8-42

Accepts the recommendations of the Prison Reforms Committee with certain modifications

NOTE—Contn. Sheet.

WD 04165—GPB—55,000—23-10-41

all

G. R. S. App. F VI—G 2] 6 copies 6

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193*

Date of issue 4.8.42 193

Signed by ..... Mr. M.K.V. .....

Section. Pris

File No. 2-42

Serial No. 8

Proceedings of the Government of
His Highness the Maharaja of Mysore

Read—Recommendation No.25 of the prison Reforms Committee regarding the sub-division of casual offenders into "Star" and "Ordinary" classes, and the views of the I.G. of Prisons there on.

ORDER NO. P878.

Dated 4. 8. 42

The Prison Reforms Committee recommend in paragraphs 10 and 11 of ~~Order thereon—No.~~ Chapter—III of their Report a sub-division of non-habitual or casual offenders into two classes, viz. "Star" and "Ordinary", ~~and~~ The I.G. of Prisons ~~also~~ supports such a sub-division. Government consider that such a sub-division, based on the principle of the segregation of the better from the worse, is ~~eminently~~ desirable ~~fitted for adoption in Mysore~~, and are accordingly pleased to accept

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

7

the recommendation of the Committee. This will afford an ~~Its value lies in~~ the opportunity ~~it gives~~ to concentrate training on those who are prima facie most likely to profit by it, and to model it to some extent on corrective and reformative principles. ~~This~~ The "Star" class will, as recommended by the Committee, comprise such prisoners as are selected by the superintendent on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude or depravity of mind. ~~One~~ or more previous convictions will not exclude a prisoner from the "Star" class, if they were for petty offences, and ~~that~~ even a ~~condition~~ conviction for serious crime is not to be regarded as a bar, if it was committed several years before and if, during the intervening period, the prisoner has led generally an honest life.

In making his selection the Superintendent will be guided by the principles suggested by the Committee, namely, that

The effect of inclusion in the "Star" class will, as recommended by the Committee, apply only to segregation, which extends to sleeping accomodation and parades, and as far as possible to labour, but there will be no indulgences in regard to diet, labour, remission, gratiuty or otherwise.

Government direct, accordingly, the insertion of the following as rule 206 A of the rules in the Jail Manual---

"(1) Casual offenders shall be divided

List of Enclosure

Copied by

Examined by

WD 0564—GPB—22,500—9-1-39

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

divided into two classes, viz:-

(a) the Star class, and

(b) ordinary.

The Star class shall include such prisoners as may be selected by the Superintendent (subject to the control of the Inspector General) on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude, or depravity of mind.

(2) The mere fact that a casual prisoner has been previously convicted ~~once or twice for petty offences~~ shall not ordinarily ~~be a sufficient reason in itself for excluding him~~ disqualify him from inclusion in the Star class; nor shall a previous conviction for serious crime be held to debar him from such classification, if it was committed several years before, and during the intervening period he has led generally an honest life.

if such Conviction or Convictions were for petty offences

(3) In determining whether a prisoner is already of so corrupt a mind or disposition as to render it likely that he may contaminate others and cannot be much further corrupted himself, regard should be had to his age at the time of his last offence and on the dates of any pre-

WD 0282—GPB - 22,500—14-3-38

9

previous convictions; the whole circumstances of the case shall be duly considered and the question of his classification shall be decided on general grounds and not on any hard and fast lines.

(4) Except when appointed to the rank of convict officer, prisoners of the Star class shall, as far as possible, be separated from others at all times both day and night.

(5) When a Star class prisoner prefers to be confined in a cell at night, and such accommodation can be provided for him, his wishes shall be complied with: but where only association wards exist in the jail for separation at night, members of this class shall be confined together but apart from other offenders.

(6) The clothing of Star class prisoners shall be distinguished ~~as in Rule 365 (6).~~ by means of a red star knitted on the jacket and cap in the centre in front.

22-7-1/

Secretary to Govt.
Law Dept.

21/7

To,
The I.G. of Prisons

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Recommendation No.25 of the Prison Reforms Committee regarding the sub-division of casual offenders into "Star" and "Ordinary" classes, and the views of the Inspector General of Prisons thereon.

O R D E R NO.P. 878 Pris 2-42-8

Dated, Bangalore, the, 4th August 1942.

The Prison Reforms Committee recommend in paragraphs 10 and 11 of C hapter III of their Report a sub-division of non-habitual or casual offenders into two classes, viz. "Star" and "Ordinary". The Inspector General of Prisons supports such a sub-division. Government consider that such a sub-division, based on the principle of the segregation of the better from the worse, is desirable, and are accordingly pleased to accept the recommendation of the Committee. This will afford an opportunity to concentrate training on those who are prima facie most likely to profit by it, and to model it to some extent on corrective and reformative principles. The "Star" class will, as recommended by the Committee, comprise such prisoners as are selected by the Superintendent on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude or depravity of mind. In making his selection the Superintendent will be guided by the principles suggested by the Committee, namely, that one or more previous convictions will not exclude a prisoner from the "Star" class, if they were for petty offences, and that even a conviction for serious crime is not to be regarded as a bar, if it was committed several years before and if, during the intervening period, the prisoner has led generally an honest life.

contd).

The effect of inclusion in the "Star" class will, as recommended by the Committee, apply only to segregation, which extends to sleeping accomodation and parades and as far as possible to labour, but there will be no indulgences in regard to diet, labour, remission, gratuity or otherwise.

Government direct, accordingly, the insertion of the following as rule 806 A of the rules in the Jail Manual---

"(1) Casual offenders shall be divided into two classes, viz:-

(a) the Star class, and

(b) ordinary.

The Star class shall include such prisoners as may be selected by the Superintendent (subject to the control of the Inspector General) on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude, or depravity of mind.

(2) The mere fact that a casual prisoner has been previously convicted shall not ordinarily disqualify him from inclusion in the Star class, if such conviction or convictions were for petty offences; nor shall a previous conviction for serious crime be held to debar him from such classification, if it was committed several years before, and if during the intervening period he has led generally an honest life.

(3) In determining whether a prisoner is already of so corrupt a mind or disposition as to render it likely that he may contaminate others and cannot be much further corrupted himself, regard should be had to his age at the time of his last offence and on the dates of any previous convictions; the whole cir-

contd)

circumstances of the case shall be duly considered and the question of his classification shall be decided on general grounds and not on any hard and fast lines.

(4) Except when appointed to the rank of convict officer, prisoners of the Star class shall, as far as possible, be separated from others at all times both day and night.

(5) When a Star class prisoner prefers to be confined in a cell at night, and such accommodation can be provided for him, his wishes shall be complied with: but where only association wards exist in the jail for separation at night, members of this class shall be confined together but apart from other offenders.

(6) The clothing of Star class prisoners shall be distinguished by means of a red star knitted on the jacket and cap in the centre in front.

M.K. Varadaraqan
Secretary to Government,
Law Department.

To

The Inspector General of Prisons in Mysore.

KMNS.

Extract from the Inspector General of Prisons' opinion on the recommendations ~~made~~ by the Prison Reforms Committee.

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Recommendation No.25.

Casual or first offender convicts should be sub-divided into "Star" and "Ordinary", on the principle of the segregation of the better from the worse.

Inspector General of Prisons' opinion.

This may be adopted and an amendment may be issued to the Mysore Jail Manual on the lines of Rule 220 of the Madras Jail Manual.